

MEMO ENDORSED

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Via E-Mail (sullivannysdchambers@nysd.uscourts.gov)

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The Honorable Richard J. Sullivan
United States District Court
Southern District of New York
40 Foley Square, Courtroom 905
New York, New York 10007

Re: Princeton Digital Image Corporation v. Hewlett-Packard Co., et al., Case No. 12
Civ. 0779 (RJS)

Dear Judge Sullivan:

Plaintiff Princeton Digital Image Corporation ("PDIC") and defendant Hewlett-Packard Company ("HP") jointly submit this letter seeking permission to adjust the dates for conducting the depositions of two non-party witnesses, Kenneth Glick and General Electric Company ("GE"). The Court previously granted a request by PDIC and HP to conduct these depositions within two weeks of the February 6, 2014 discovery cutoff (i.e., on or before February 20, 2014). Since then, GE and Mr. Glick have gathered documents and produced them this week to outside counsel for PDIC/GE/Glick. Those documents are currently being culled for privilege and responsiveness by that counsel, who has agreed to produce responsive non-privileged documents to HP no later than Friday, February 28, 2014. Now that a deadline for document production is known, Mr. Glick has agreed to appear for his deposition two business days later, on Tuesday, March 4, 2014. GE's witness, Mr. Moller, has agreed to appear for his deposition two days after Mr. Glick, on Thursday, March 6, 2014.

The parties have agreed that the re-scheduling of Mr. Glick's and GE's depositions on these dates, subject to the Court's approval, will not be used by any party as an excuse to delay or seek an extension of any other deadlines in the case (discovery or otherwise). Plaintiff previously sought a six-month extension of the fact discovery deadline, which the Court granted by extending the fact discovery period by one month. See Revised Case Management Plan and Scheduling Order (Dkt. 353). The parties do not

anticipate the scheduling of Mr. Glick's and GE's depositions to impact any other scheduled dates pursuant to the Court's November 14, 2013 Revised Case Management Plan and Scheduling Order (Dkt. 353). Accordingly, the parties respectfully ask the Court to allow the parties to hold the deposition of Mr. Glick on March 4, 2014, and the deposition of GE on March 6, 2014.

Counsel is available should Your Honor have any questions.

Respectfully,

/s/ Bruce J Barker

Bruce J Barker

cc: Counsel of Record

SO ORDERED
Date:


RICHARD J. SULLIVAN
U.S.D.J.

2/20/14